

Appl. No. 09/759,106
Amdt. dated March 8, 2004
Reply to Office Action of September 16, 2003

PATENT

REMARKS/ARGUMENTS

This Amendment is responsive to the Office Action mailed on September 16, 2003. A petition for a 3-month extension of time is attached so that the due date is to and including March 16, 2004. Entry of this Amendment is requested.

Applicants initially note that an Information Disclosure Statement (IDS) was filed on August 13, 2001. However, the PTO forms listing the cited references and initialed by the Examiner were not returned with the Office Action. *Applicants request that the PTO forms attached to the IDS filed on August 13, 2001 be initialed and returned to the undersigned with the next Office Action.* For the convenience of the Examiner, another copy of the August 13, 2001 IDS is attached along with a postcard indicating receipt by the PTO on August 13, 2001.

In the Office Action, the Examiner notes that claims 1-16 and 23-26 are withdrawn from consideration. Applicants acknowledge the restriction requirement and reserve the right to file a divisional application.

At page 2 of the Office Action, claims 17-22 are rejected as indefinite. In response, independent claim 17 is amended to provide antecedent basis for the "first" and "second" fluid channels. Withdrawal of the rejections is requested.

At page 3 of the Office Action, claims 27-28 are rejected as obvious over Parce et al. (U.S. Patent No. 5,942,443). To expedite the prosecution, claims 27-28 are canceled. By canceling the rejected claims, Applicants do not admit that the rejection based on Parce et al. is proper.

At page 5 of the Office Action, the Examiner indicates that claims 17-22 would be allowable if amended to overcome the indefiniteness rejection above. Since the indefiniteness rejection has been addressed, Applicants presume that claims 17-22 are in condition for allowance. The Examiner is sincerely and earnestly thanked for the indication of allowable subject matter.

Appl. No. 09/759,106
Amdt. dated March 8, 2004
Reply to Office Action of September 16, 2003

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Patrick R. Jewik
Reg. No. 40,456

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
PRJ:prj
00159553 v1

Page 5 of 5